

Hon. John H. Chun

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KURT A. BENSHOOF; A.R.W. by and through
his father, KURT A. BENSHOOF,

Plaintiffs,

v.

MARSHALL FERGUSON, J. DOE, BLAIR
RUSS, JESSICA SKELTON, MICHAEL
TRACY, SARAH TURNER, JAMAL
WHITEHEAD,

Defendants.

No. 2:24-cv-00808-JHC

DEFENDANT MARSHALL
FERGUSON'S RESPONSE TO
PLAINTIFF'S SECOND MOTION TO
STAY

NOTED ON MOTION CALENDAR:
OCTOBER 2, 2024

On October 2, 2024, Plaintiff Kurt Benshoof filed an Emergency Request to Stay the Case Pending Plaintiff's Ability to Respond and File in Motions and Responsive Pleadings. Dkt. #46. The Request was noted by the Clerk for October 2, 2024 but was not e-served until October 3, 2024. This is the second time Plaintiff has motioned the Court to stay proceedings.

Defendant Marshall Ferguson filed his opposition to a substantially identical motion on September 24, 2024 and incorporates that response herein. *See* Dkt. #43. This Court already issued an order denying Plaintiff's motion to stay on October 1, 2024 (Dkt. #45), and Defendant respectfully asks this Court to deny Plaintiff's second request to stay this case.

///

///

DEFENDANT MARSHALL FERGUSON'S RESPONSE
TO PLAINTIFF'S SECOND MOTION TO STAY - 1
2:24-CV-00808-JHC

Leesa Manion (she/her)
Prosecuting Attorney
CIVIL DIVISION
701 5th Avenue, Suite 600
Seattle, WA 98104
(206) 477-1120 Fax (206) 296-0191

1 I certify that this response contains 116 words, in compliance with the Local Civil Rules.

2
3 DATED this 4th day of October 2024.

4 LEESA MANION (she/her)
5 King County Prosecuting Attorney

6 By: s/ Peggy Wu
7 PEGGY WU, WSBA #35941
8 Senior Deputy Prosecuting Attorney
9 King County Prosecuting Attorney's Office,
10 Civil Division
11 701 5th Avenue, Suite 600
12 Seattle, WA 98104
13 pwu@kingcounty.gov
14 *Attorney for Marshall Ferguson*
15
16
17
18
19
20
21
22
23

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on October 4, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF E-filing system which will send automatic notification to the following:

Kurt A. Benshoof
1716 N 128TH ST
SEATTLE, WA 98133
206-460-4202
Email: kurtbenshoof@gmail.com
Pro Se

I also hereby certify that on October 4, 2024, I sent the same via US Postal Service to the following:

Kurt Benshoof
B/A 2024-008067
King County Correctional Facility
500 Fifth Avenue
Seattle, WA 98104

Howard Brown
1003 W. Michigan St.
Hammond, LA 70401

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 4th day of October 2024.

By: s/ Katie Wilson
KATIE WILSON
Paralegal, Civil Division
King County Prosecuting Attorney's Office